

DETAILED ACTION

Continued Examination under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/14/2010 has been entered. Claims 1, 12 and 27 are amended. Claim 25 is cancelled. 1, 5-12, 15-21, 24 and 26-27 are currently pending.
2. Amendment received on 06/10/2010 was entered into record. Claims 1, 10 and 12 were amended. Claim 27 was new.
3. Applicant's submission filed on 11/19/2009 was entered. Claims 1, 10, 12, 15-21 and 25-26 were amended. Claims 2-3 and 13-14 were cancelled.
4. Amendment received on 05/01/2009 was entered into record. Amendment to the specification was reviewed and accepted. Claims 1, 10, 12, 20 and 24 were amended. Claims 4, 22-23 were cancelled. Claims 25-26 were new.

Priority

5. This application has claimed a priority on France 0304363 filed on 04/08/2003. The filing date is 04/01/2004.

Examiner's Amendment

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

7. Authorization for this examiner's amendment was given in a telephone interview with John A. Krause (reg. no. 24,613) on 12/16/2010.

8. The application has been amended against applicant submitted claim set dated 12/14/2010 as follows (only examiner amended claims are shown):

IN THE ABSTRACT

(Currently amended) The access method comprises the following steps: [[

-]]selecting a first data item in a digital document designated by a predetermined identifier, said digital document comprising at least first and second data items linked to each other in a chosen hierarchical relationship; [[
-]]verifying the presence of at least one address of a location containing said second data item of the digital document in storage means [(160)] of the client device; [[
-]]in the absence of said address in said storage means, seeking said address in the network; [[
-]]in the event of a positive search, storing said address in the storage means [(160)] of the client device; and [[
-]]subsequently accessing said second data item of the document from the address thus stored by anticipation and thus immediately available locally. [[

(Figure 5)]]

IN THE CLAIMS

1. (Currently amended) A method of access to a digital document in a communication network of the peer-to-peer type, said method being implemented in a peer device and comprising the following steps:

monitoring one of said user's activity on at least one communication device, said monitoring based on a user software application and said at least one communication device, wherein said monitoring based on a user software application comprises monitoring a duration of time said user is active in said user software application and monitoring a duration of time said user was last active in said user software application;

selecting a first data item in a digital document, the digital document comprising at least first and second data items; and

before any user request for said second data item:

verifying the presence of at least one address of a location containing the second data item of the digital document in storage means of the peer device;

in the absence of the address in the storage means of the peer device, seeking in the peer-to-peer network at least one address of a location containing the second data item among a local address on said peer device and a distant address on a distant peer device;

in the event at least one address is obtained during the seeking step, storing in the storage means of the peer device the at least one address obtained during the seeking step[[]];

upon reception of a subsequent request to access the second data item, downloading the second data item of the document from one address thus store; and

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checking whether the downloading of the second data item is complete, and, if incomplete, downloading if more than one address has been obtained during the seeking step and stored in the storage means of the peer device, iteratively trying to access the second data item using another address obtained during the seeking step and stored in the storage means of the peer device, and determining if the access is complete.

26. (Currently amended) A method according to Claim ~~25~~1, wherein, when no other address is available for the step of iteratively trying to access the second data item using another address obtained during the seeking step and stored in the storage means of the peer device, performing another step of seeking at least one address of a location containing the second data item in the peer-to-peer network.

Reasons for Allowance

9. Claims 1, 5-12, 15-21, 24 and 26-27 are allowed as amended above.

The following is an examiner's statement of reasons for allowance:

The closest prior arts of record issued to Gut et al. (US 7006099 B2) and XIAO, ET AL., "On Reliable And Scalable Peer-to-Peer Web Document Sharing" fail to teach or suggest "a method of access to a digital document in a communication network of the peer-to-peer type, said method being implemented in a peer device and comprising the following steps: selecting a first data item in a digital document, the digital document comprising at least first and second data items; and before any user request for said second data item: verifying the presence of at least one address of a location containing the second data item of the digital document in storage means of the peer device; in the absence of the address in the storage means of the peer device, seeking in the peer-to-peer network at least one address of a location containing the second data item among a local address on said peer device and a distant address on a distant peer device; in the event at least one address is obtained during the seeking step, storing in the storage means of the peer device the at least one address obtained during the seeking step; upon reception of a subsequent request to access the second data item, downloading the second data item of the document from one address thus store; and checking whether the downloading of the second data item is complete, and, if incomplete, downloading if more than one address has been obtained during the seeking step and stored in the storage means of the peer device, iteratively trying to access the second data item using another address obtained during the seeking step and stored in the storage means of the peer device, and determining if the access is complete".

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Applicant has amended significantly as per Amendment received on 12/14/2010 with the limitation combination of "checking whether the downloading of the second data item is complete, and, if incomplete, downloading if more than one address has been obtained during the seeking step and stored in the storage means of the peer device, iteratively trying to access the second data item using another address obtained during the seeking step and stored in the storage means of the peer device, and determining if the access is complete". Additional Examiner's Amendment is used to correct minor typographical errors. Examiner has reviewed the independent claim language in light of applicant's published specification and original claim language. Examiner has reviewed the claim rejections and applied prior arts, i.e. Gut et al. and XIAO, ET AL. as per Office Action mailed 09/14/2010. Examiner has performed a further search on independent claim language. Examiner has found that Gut et al. and XIAO, ET AL. are still the closest prior arts on the claimed invention as presented in the Examiner's Amendment above. However, Gut et al. and XIAO, ET AL. together do not disclose in full the specific feature combination as presented in independent claim language of the Examiner's Amendment. Independent claim 1, 12 and 27 are to be allowed.

The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peling A. Shaw whose telephone number is (571) 272-7968. The examiner can normally be reached on M-F 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Peling A Shaw/
Primary Examiner, Art Unit 2444